

1806-0180

RECEIVED

SEP 24 2003

TECH CENTER 1600/2900  
PATENT  
Attorney No. 22,852  
Attorney Docket No. 7579.0016-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Andrew HEATON et al.

Serial No.: 10/070,361

International Filing Date: September 6, 2000

Date of satisfaction of § 371(c)

Requirements: July 8, 2002

For: COMPOSITIONS AND THERAPEUTIC  
METHODS INVOLVING ISOFLAVONES  
AND ANALOGUES THEREOF

Group Art Unit: 1626

Examiner: E. O. SACKKEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or an action that otherwise closes prosecution. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

These documents are U.S. Patents and U.S. applications that are directly related to the pending application (as based on the same specification) or are possibly related by subject matter.

To facilitate the Examiner's review of these documents and avoid the wasteful reproduction of specifications, Applicants submit only the claims issued or pending in cases based on the same specification (documents related to U.S. Patent No. 5,830,887). For documents that are not based on

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

the same specification, e.g., U.S. Pat. No. 6,340,703 and application Serial Nos. 09/986,509; 09/254,026; 09/647,092; 09/914,035; and 10/070,361, applicant provides the specification. Should the Examiner wish copies of any documents not provided here, please advise the undersigned at the number below.

U.S. Patent or Application Number	Examiner	Finnegan Henderson Docket Number
<b>Documents related to U.S. Patent No. 5,830,887</b>		
USSN 09/602,191 (Reissue of U.S. Patent 5,830,887)	Patrick T. Lewis	7579.0001-00
U.S. Pat. No. 6,562,380 B1 (USSN 08/910,837)	James O. Wilson	7579.0005-00
U.S. Pat. No. 6,497,906 B1 (USSN 09/547,100)	Patrick T. Lewis	7579.0005-01
USSN 09/421,069	Patrick T. Lewis	7579.0005-02
USSN 10/274,371	Patrick T. Lewis	7579.0005-03
USSN 10/611,087	Not Yet Assigned	7579.0005-04
USSN 10/611,151	Not Yet Assigned	7579.0005-05
<b>Documents related to U.S. Patent No. 6,340,703</b>		
U.S. Pat. No. 6,340,703 (USSN 09/077,590)	Edward J. Webman	7579.0006-00
USSN 09/986,509	Edward J. Webman	7579.0006-01
<b>Therapeutic Methods and Compositions Involving Isoflavones</b>		
USSN 09/254,026	Jennifer M. Kim	7579.0007-00
<b>Therapy of Estrogen-Associated Disorders</b>		
USSN 09/647,092	Patricia A. Patten	7579.0013-00
USSN 10/459,537	Not Yet Assigned	7579.0013-01
<b>Cardiovascular and Bone Treatment Using Isoflavones</b>		
USSN 09/914,035	Cybill Delacroix-Muirheid	7579.0015-00
USSN 10/600,004	Not Yet Assigned	7579.0015-01
<b>Compositions and Therapeutic Methods Involving Isoflavones and Analogues Thereof</b>		
USSN 10/070,361 (this application)	Ebenezer O. Sackey	07579.0016-00
<b>Regulation of Lipids and/or Bone Density and Components Therefor</b>		
USSN 10/250,858	Not Yet Assigned	07579.0018-00

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. Should the Examiner conclude that any of these claims form the basis of a rejection, the Examiner is invited to contact the undersigned.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

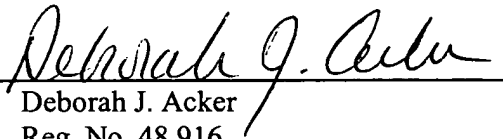
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 10, 2003

By:   
Deborah J. Acker  
Reg. No. 48,916

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

# INFORMATION DISCLOSURE CITATION

OMB No. 0707-0011  
**RECEIVED**

SEP 24 2003

TECH CENTER 1600/2900

Atty. Docket No.	07579.0016-00000	Appln. No.	10/070,361
Applicant	HEATON et al.		
Filing Date	September 6, 2000	Group:	1626

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	USSN 09/254,026 (WO 98/08503)		Kelly et al.			08/29/1997
	USSN 09/421,069		Kelly			10/19/1999
	USSN 09/602,191		Kelly			06/22/2000
	USSN 09/647,092 (WO 99/48496)		Kelly et al.			03/26/1999
	USSN 09/914,035 (WO 00/64438)		Kelly et al.			04/27/2000
	USSN 09/986,509		Kelly			11/09/2001
	USSN 10/274,371		Kelly			10/21/2002
	USSN 10/459,537		Kelly et al.			06/12/2003
	USSN 10/600,004		Kelly et al.			06/18/2003
	USSN 10/611,087		Kelly			07/02/2003
	USSN 10/611,151		Kelly			07/02/2003
	USSN 10/250,858 (WO 02/055072)		Husband			07/09/2003
	6,340,703 B1	01/22/2002	Kelly			
	6,497,906 B1	12/24/2002	Kelly			
	6,562,380 B1	05/13/2003	Kelly			

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce